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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

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Retha Dixon, Docket Manager  
Federal Election Commission  
999 E Street NW, Washington, DC 20463

May 11, 2008  
2008 MAY 20 A 11:31

MUR # 6015

RE: Foreign Nationals Contributing to Clinton Presidential Campaign

Ms. Dixon,

This letter will acknowledge my receipt (on May 10, 2008) of your letter dated April 30, 2008, (including the 6 page FEC brochure entitled "Filing a Complaint" which was in response to my original letter to the Federal Election Commission ("FEC") dated April 10, 2008. Your April 30, 2008 letter mischaracterized my letter as a "complaint" when, in fact, my letter was merely a notification of a potential violation of federal law and a call for the FEC to investigate the matter.

I should point out to you that my April 10<sup>th</sup> letter was not, to use your term, a "complaint". In fact, I could not find the word "complaint" in my letter at all.

Truth be told, the FEC itself has put my letter into the legal "complaint" category and thereby chose to apply what someone at the FEC believes to be applicable law.

The purpose of this letter is twofold.

First, this letter restates, in its entirety, my April 10, 2008 letter that informed the FEC of a \$2,500,000 illegal campaign contribution made to Senator Hillary Clinton by a foreign national, specifically British musician Sir Elton John.

The second purpose of this letter is to - place on public record - my opposition to the FEC's application of the requirement<sup>1</sup> whereby a citizen must have a "complaint" notarized and "sworn to" before violations of federal campaign laws are investigated by the FEC.

As stated in your April 30 letter, *"The Federal Election Campaign Act of 1971, as amended and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized."*

It is unconscionable that the FEC (whether through statute or not) requires citizens to have a notarized and "sworn to" statement when bringing a violation of federal campaign law before the FEC for action.

As stated in your April 30 letter, *"We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. pp 437g."*

The requirement for a complaint to be notarized places an undue, unnecessary and potentially unconstitutional burden on a citizen. Follow this with me. Notaries Public here in California charge \$10 for their services. Obviously the requirement for Notary services adds a financial component to the pursuit of open government that is inherently cost prohibitive for many citizens.

Further, the six page "Filing a Complaint" brochure you forwarded to me states that the "original (complaint) must be submitted along with three copies".

The FEC has a 2008 budget of \$60,395,036, (a net increase from the FEC 2007 budget of \$3,257,036, or 5.7 percent) and I believe taxpayers would be astonished to find that the FEC cannot afford to make three copies of a letter. If we do the math we see that three copies of my "complaint", that is three pages @ \$0.021 (little more than two cents) per page would be a grand total of \$0.063, that is, little more than six cents. More than sixty-million dollars as a 2008 budget and the FEC cannot afford six cents? As a matter of curiosity, where are those three copies sent?

<sup>1</sup> as found in 2 U.S.C. pp 437g

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Having dealt with other federal government agencies (the Federal Communications Commission, the Senate Ethics Committee, the Federal Trade Commission, the Environmental Protection Agency, the Food and Drug Administration, and the Department of Veterans Affairs among others) on matters of federal law violations, this is the first time I have been made to 'jump through hoops' by (1) submitting multiple copies of a complaint and (2) paying money to a Notary in order for a federal agency to take action against those who violate federal laws.

Your April 30 letter also gave me a mumbo-jumbo time limit to resubmit my complaint. Quite honestly I have no idea what you are mean. You stated, "Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents."

When does that 15 day refiling period begin?

Is it 15 days from the date of my initial complaint (April 10, 2008)?

Is it 15 days from the date of your letter to me (April 30, 2008)?

Is it 15 days from the date I received your April 30, 2008 letter (May 10, 2008)?

It took you 20 days (until April 30, 2008) to respond to my April 10<sup>th</sup> letter.

I did not receive your April 30<sup>th</sup> response until 10 days later.

I believe you can clearly understand my confusion as to when the "clock began ticking" on the 15 day refiling period.

Given the above elusive "15 day period", I anticipate your next letter telling me that the FEC will not proceed with my complaint due to a 'time-line' deficiency.

Finally on this issue, the Federal Election Commission is charged with investigating allegations brought against politicians for violations of federal campaign laws. It is not in the best interest of the Rule of Law that allows these same politicians to create laws, specifically 2 U.S.C. pp 437g, that requires citizens to pay money in order bring a complaint against them.

This cozy arrangement whereby politicians make the laws regarding the manner in which complaints are filed against them is much akin to the proverbial fox being statutorily empowered to be in charge of the hen house.

It is with the fox, hens and rotten eggs in the hen house in mind that I have "sworn to", notarized and resubmitted my original complaint. And I have done so in triplicate!

Now, as to my original complaint.

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BEFORE THE FEDERAL ELECTION COMMISSION

The following underlined statements represents the entirety of my original letter dated April 18, 2008:

On April 9, 2008 a British citizen and Serbian national musician Sir Elton John performed at a fundraising event at Radio City Music Hall in New York City for Presidential candidate Hillary Clinton.

As reported in the national media, Elton John's solo concert raised more than \$2,500,000 for Ms. Clinton's political campaign.

Whether directly, indirectly, in cash or in kind, it is my understanding that Federal law prohibits foreign nationals from making campaign contributions to American politicians and their political campaigns.

There can be no doubt that Elton John's performance was a fund raiser as exhibited by the events of the evening including the following on-stage comments made by Elton John during the performance.

Quoting Elton John, "I've always been a Hillary supporter. There is no one more qualified to lead America."

"I'm amazed by the unconditional attitude of some of the people in this country. And I say to hell with them... I love you Hillary. I'll be there for you."

This letter calls for the Federal Election Commission to investigate this matter.

I anticipate a timely investigation and response.

✉

Al Westcott

NOTE: All of the above data, information, claims, and statements regarding the participation of Senator Clinton and Sir Elton John in the violation of federal campaign laws are made with my personal first hand knowledge and based on undisputable and undeniable facts as widely disseminated in the news media, including, but not limited to, dissemination by FOX News, MSNBC, The Los Angeles Times, The Washington Post, The New York Times, CNN, C-SPAN, The American Broadcasting Company (ABC), the National Broadcasting Company (NBC), Columbia Broadcasting Service (CBS), The Christian Science Monitor, The Baltimore Sun, The Sacramento (California) Bee, and other national and international news gathering and reporting agencies.

I hereby swear and affirm that to the best of my personal knowledge the contents of this complaint are true and accurate.

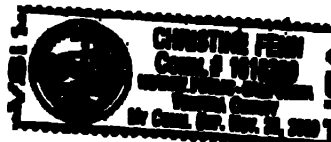


Al Westcott

Subscribed and sworn to before me on this 12<sup>th</sup> day of May, 2008.



Christine Fenn, Notary Public



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